

**RECEIVED**  
**CENTRAL FAX CENTER**

NOV 22 2004

Phone: 269-279-8820

Fax: 269-279-8830

**Henneman & Saunders**  
714 W. Michigan Ave.  
Three Rivers, MI 49093**Fax****To: US Patent and Trademark Office From: Larry E. Henneman, Jr.****Fax: (703) 872-9306****Pages: 08, including cover sheet****Phone:****Date: November 22, 2004****Re: Amendment/Response (Non-Final)****CC:**☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☒ **Please Confirm Receipt**

● **ATTENTION:** This facsimile transmission may contain confidential attorney-client communication and/or attorney work-product. If you receive this transmission in error, please take necessary measures to maintain its confidentiality, and notify the sender immediately.

**Applicant:** Firestone  
**Application No.:** 10/044,398  
**Filed:** 1/9/2002



**Attorney Docket:** 0026-011  
**Examiner:** Hwu, Davis D.  
**Art Unit:** 3752

**Title: Truck Wash Automatic Chemical Ratio Proportioning**

The following documents are transmitted herewith for filing in the above referenced application:

1. Transmittal Letter / Petition for Extension of Time (1 page);
2. Response (5 pages); and
3. Credit Card Payment Form PTO-2038.

NOV 22 2004

<b>RESPONSE TRANSMITTAL LETTER</b> <b>Under Small Entity Status</b>				Attorney Docket No: <b>0026-011</b>		
Application Serial Number: <b>10/044,398</b>		Filing Date: <b>January 9, 2002</b>		Examiner: <b>Hwu, Davis D.</b>		Group Art Unit: <b>3752</b>
Invention: <b>Truck Wash Automatic Chemical Ratio Proportioning</b>						
TO THE COMMISSIONER OF PATENTS AND TRADEMARKS: Transmitted herewith is a response (5 pages) in the above-identified application. The fee has been calculated as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
<b>TOTAL CLAIMS</b>	<b>37</b>	<b>MINUS</b>	<b>37</b>	<b>0</b>	<b>\$9</b>	<b>\$ 0.00</b>
<b>INDEP. CLAIMS</b>	<b>2</b>	<b>MINUS</b>	<b>3</b>	<b>0</b>	<b>\$43</b>	<b>\$ 0.00</b>
<u>X</u> Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>6/21/2004</u> to and through <u>11/22/04</u> , comprising an extension of the shortened statutory period of: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> <u>      </u> one month (\$55)  <u>X</u> two months (\$215)         </div> <div style="text-align: center;"> <u>      </u> three months (\$490)  <u>      </u> four months (\$765)         </div> </div>						
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>						<b>\$215.00</b>
<u>X</u> Small entity status is proper and requested to this application <u>X</u> A fax coversheet accompanies this transmission. <u>X</u> A Credit Card Payment Form for payment of <u>\$ 215.00</u> is transmitted herewith. <u>      </u> Charge \$ <u>      </u> to Deposit Account <u>      </u> . <u>      </u> No additional fee is required.						
<u>11/22/04</u> Date		 Larry E. Henneman, Jr. Reg. No. 41,063				
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being transmitted via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at (703) 872-9306 on <u>November 22, 2004</u> .						
 Larry E. Henneman, Jr., Reg. No. 41,063						

**RECEIVED**  
**CENTRAL FAX CENTER**

NOV 22 2004

App. Serial No.: 10/044,398

Atty. Docket No.: 0026-011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicant(s): **FIRESTONE (et al.)**Serial No.: **10/044,398**Filed: **January 9, 2002**Attorney Docket: **0026-011**Examiner: **Hwu, Davis D.**Group Art Unit: **3752**Title: **Truck Wash Automatic Chemical Ratio Proportioning**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**RESPONSE**

These remarks are in response to the Office Action dated June 21, 2004, which has a shortened statutory period for response set to expire September 21, 2004. A two-month extension of time to expire November 22, 2004 (November 21, 2004 being a Sunday) is requested in a petition filed herewith.

**Claims**

Claims 1-12 and 22-46 are pending in the above-identified application. Claims 1-12, 22-31, and 39 are rejected over prior art. Claims 1-12 and 22-46 remain as filed or previously amended. Claims 13-21 were previously canceled. Claims 32-38 and 40-46 are objected to, but indicated by the Examiner to include allowable subject matter. Reconsideration is requested.

**Rejections Under 35 U.S.C. § 102**

Claims 1-6, 9-11, 22-25, 29, 31, and 39 are rejected under 35 U.S.C. § 102 (b) as being anticipated by Proudman (USPN 5,246,026). The Examiner writes (in part):

The patent to Proudman shows an apparatus for proportioning a chemical with a solvent, comprising:

- a flow measurement apparatus 22 for measuring the flow rate of the solvent (water);
- a control unit 33 for calculating the quantity of the chemical to be added to the solvent based at least in part on the flow rate of the solvent; and
- a flow control device including a pump 28 and a valve 26 for metering the quantity of the chemical added to the solvent.

11/23/2004 LWONDIM1 00000059 10044398

01 FC:2252

215.00 DP

1 of 5